



Atty. Dkt. No. 071949-2705

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Kenneth F. Buechler

Title: RAPID EVALUATION OF THE  
RATIO OF BIOLOGICAL  
MOLECULES

Appl. No.: 10/697,356

Filing Date: 10/29/2003

Examiner:

Art Unit:

<b>CERTIFICATE OF MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the date below.	
<u>Diane Garcia</u> (Printed Name)	
<u>Diane Garcia</u> (Signature)	
1-9-04 (Date of Deposit)	

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Applicant submits herewith on Form PTO-1449 a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial No. 09/081,722, filed 05/13/1998. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the filing date of the application.

**RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of all forms be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date 1/9/04

By Barry Wilson

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Barry S. Wilson  
Attorney for Applicant  
Registration No. 39,431

JAN 12 2004

## Notice of References Cited

Application/Control No.

09/081,722

Applicant(s)/Patent Under

Reexamination

BUECHLER, KENNETH F.

Examiner

Gailene R. Gabel

Art Unit

1641

Page 1 of 1

## U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5,501,983	03-1996	Lilja et al.	436/518
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

## FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

## NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
 Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



Notice of References Cited	Application/Control No.	Applicant(s)/Patent Under Reexamination	
	09/081,722	BUECHLER, KENNETH F.	
	Examiner Gailene R. Gabel	Art Unit 1641	Page 1 of 1

#### U.S. PATENT DOCUMENTS

*	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	DOCUMENT SOURCE **	
						APS	OTHER
<input type="checkbox"/> A	US 5,599,677	Feb. 1997	Dowell et al.	435	7.4	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> B						<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> C						<input type="checkbox"/>	<input type="checkbox"/>
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#### FOREIGN PATENT DOCUMENTS

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#### NON-PATENT DOCUMENTS

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		APS	OTHER
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\*A copy of this reference is not being furnished with this Office action. (See Manual of Patent Examining Procedure, Section 707.05(a).)

\*\*APS encompasses any electronic search i.e. text, image, and Commercial Databases.

U.S. Patent and Trademark Office

PTO-892 (Rev. 03-98)



<b>Notice of References Cited</b>			Application No. 09/081,722	Applicant(s) <b>Buechler</b>		
			Examiner Gailen R. Gab I	Group Art Unit 1641	Page 1 of 1	
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A	US 4,737,453	4/12/88	Primus		435	5
B	US 5,985,579	4/12/88	Buechler et al.		435	7.1
C	US 4,690,890	9/1/87	Loor et al.		435	7
D	US 5,196,309	4/12/88	Ginsberg		435	7.21
E	US 5,763,199	9/6/94	Coller		435	7321
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ATTY. DC T NO.  
234/199SERIAL NO.  
09/081,722

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S  
INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

APPLICANT:  
Kenneth F. BuechlerFILING DATE:  
May 13, 1998GROUP:  
1641

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	AA	3,817,837	6/18/74	Rubenstein et al.			
	AB	3,935,074	1/27/76	Rubenstein et al.	195	103.5 R	12/17/73
	AC	4,806,468	2/21/89	Wagner et al.	435	7	2/5/87
	AD	5,480,792	1/2/96	Buechler et al.	435	6	6/1/93
	AE	5,529,902	6/25/96	Kottke et al.	435	7.21	1/27/95

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AL	Adams, et al., "Comparable Detection of Acute Myocardial Infarction by Creatine Kinase MB Isoenzyme and Cardiac Troponin," <u>Clin. Chem.</u> 40, 1291-1295 (1994).
AM	Bhayana, et al., "Discordance Between Results for Serum Troponin T and Troponin I in Renal Disease," <u>Clin. Chem.</u> 41, 312-317 (1995)
AN	Bullock et al., <u>Techniques in Immunocytochemistry</u> , Academic Press, Orlando, Florida, Vol. I (1982), Vol. II (1983), Vol. III (1985)
AO	Chard, "An Introduction to Radio Immunoassay and Related Techniques," <u>Laboratory Techniques in Biochemistry and Molecular Biology</u> , Elsevier Science Publishers, Amsterdam, The Netherlands (1986) (Index)
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AQ	Henderson, et al., "CEDIA, a New Homogeneous Immunoassay System," <u>Clin. Chem.</u> 32, 1637-1641 (1986)

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EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant

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U.S. PATENT & TRADEMARK OFFICE  
LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S  
INFORMATION DISCLOSURE STATEMENT  
(Use several sheets if necessary)

ATTY. DR. ET NO.  
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AR	Katus et al., "Diagnostic Efficiency of Troponin T Measurements in Acute Myocardial Infarction," <u>Circulation</u> 83, 902-912 (1991)
AS	Olefsky, "Diabetes Mellitus," <u>Cecil Textbook of Medicine</u> , 18 <sup>th</sup> Edition, 2:1360-1381 (1988)
AT	Stryer, <u>Biochemistry</u> , 3 <sup>rd</sup> Ed., W.H. Freeman and Co., New York (1988) (Index)
AU	Tijssen, "Practice and Theory of Enzyme Immunoassays," <u>Laboratory Techniques in Biochemistry and Molecular Biology</u> , Elsevier Science Publishers, Amsterdam, The Netherlands (1985) (Index)

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